

REMARKS

This Amendment is being filed in response to the Office Action mailed April 15, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-4 and 6-19 remain in this application, where claim 5 had been canceled without prejudice and claims 18-19 have been added. Applicants reserve the right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

By means of the present amendment, the current Abstract has been deleted and substituted with the enclosed New Abstract which better conforms to U.S. practice. Further, the specification has been amended to correct certain informalities.

By means of the present amendment, claims 1-4 and 6-14 have been amended for non-statutory reasons, such as for better form including beginning the dependent claims with 'The' instead of 'A'. Such amendments to claims 1-4 and 6-14 were not made in order to

address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, claims 1-4, 6, 8-10, 13 and 15-16 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,574,482 (Radomsky) in view of U.S. Patent No. 5,515,426 (Yacenda). Further, claims 7 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Radomsky in view of U.S. Patent Application No. 2004/0198308 (Hurst). Claims 11-12 and 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Radomsky in view of U.S. Patent Application Publication No. 2004/0077309 (Brass). It is respectfully submitted that claims 1-4 and 6-17 are patentable over Radomsky, Yacenda, Hurst and Brass for at least the following reasons.

Radomsky is directed to a communication device including an RF transmitter mounted in conjunction with an IR transmitter allowing data to be transmitted by RF as well as by IR. Such a communication device may be a portable badge worn by moving personnel to transmit IR and RF signals to one of a plurality of second devices each being a fixed reader having an IR and RF receiver, and typically being mounted in a respective enclosed

space, such as a room.

Yacenda is directed to a telephone communication system having a locator system for locating telephone users and generating location information.

Hurst is directed to a method and apparatus for the superdistribution of content, such as music, on a network. This allows user to inspect and purchase the content if desired.

Brass is directed to a wireless system to wirelessly couple a wireless device to a non-co-located antenna. This non-co-located antenna receives long-range wireless signals and converts those signals into a short-range wireless signal and transmits them to the non-co-located wireless device.

It is respectfully submitted that Radomsky, Yacenda, Hurst, Brass, and combinations thereof, do not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claim 8 which, amongst other patentable elements, recites (illustrative emphasis provided):

wherein the association data further comprises a leaving time, the leaving time being when the portable device left the communication range of said station.

These features are nowhere disclosed or suggested in Radomsky, Yacenda, Hurst, Brass, and combinations thereof. Rather, Yacenda merely discloses generating location information, and Hurst merely discloses that content may be music.

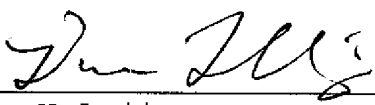
Accordingly, it is respectfully submitted that independent claims 1 and 8 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-4, 6-7 and 9-19 should also be allowed at least based on their dependence from independent claims 1 and 8.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

Amendment in Reply to Final Office Action mailed on April 15, 2008

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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